

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Tennessee</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Dan Wheeler Commissioner Dept. of Revenue Ellington Agricultural Center P.O. Box 40627 Nashville, TN 37204  Response 1/5: Correct dept--Dept of Agriculture. Funding for enforcement not provided. Until it exists, "there probably will be no enforcement action." Signage, original packaging and supervised vending machine requirements are being monitored in conjunction with sanitation inspections of food stores and food service establishments.  Follow-up letter sent to Wheeler 2/29	<b>Adjourned</b>  1/9-4/26/96		<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Class A misdemeanor--fine up to \$2,500, 3 violations by employee--5-yr ban on sale or possession. Owner may be penalized if allowed sale. (HB 2395, 1994; Sec 39-15-408, 39-15-409) Purchase by and on behalf of a minor prohibited--\$50 or 25 hrs comm. serv. for 1st offense, \$50 & 50 hrs comm. serv.  <b>Minimum Age = 18</b>  <b>Requires proof of age</b> if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (HB2395, 1994; Sec 39-15-408, 39-15-409)  <b>Warning sign required</b> (HB 2395, 1994; Sec 39-15-411)  <b>Unannounced Inspections</b> -- Dept of Agriculture. (HB2395, 1994)  <b>Vending</b> --Requires supervision. (HB 2395, 1994)  <b>No provision</b>  <b>State law occupied entire</b> <b>field of tobacco legislation.</b> (HB 2395, 1994) <b>Requires manufacturer's</b> <b>original, sealed package with</b> <b>federal warning.</b> (HB 2395, 1994)	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Missouri</b>  <b>Enforcement Information Request letter</b> from PM sent to:  The Honorable Mel Carnahan Governor Room 216 State Capitol Bldg. Jefferson City, MO 65101  2nd letter sent to Governor 2/29  Response 7/23: From Governor. Referred to Dept of Public Safety.	<b>Adjourned</b>  1/3-5/17/96  <b>Bills Died</b>  Other manufacturers and retailers oppose line-of-sight provision; bill will not include. <b>S831</b> 1/23/96--S831 referred to Senate Public Health Cmte.  1/29--Senate Public Health Cmte amended S831.  2/1--Cmte reported S831 to floor (6-4) with amendment. Attempts to repeal uniformity failed.  4/29--Senate removed uniformity provision by 21-10 vote, referred to Senate Budget Control Cmte.  5/17--Died in cmte at adjournment.  <b>H1247</b> 1/23--Introduced.  2/13--House Public Health Cmte hrg held, no action taken.  2/20--Cmte voted "do pass" by 7-2 and reported it to the floor.  4/24--House removed uniformity provision by 83-64 vote; awaits final floor action.  5/17--Died awaiting floor action at adjournment.	<ul style="list-style-type: none"> <li>• License--Annual \$25</li> <li>• Suspends 3 days for 2nd offense in 2 yrs, up to 7 days for 3rd, 9-21 days for sub. in 2 yrs.</li> <li>• Sanctions on employees--\$100 for 1st offense in 2 yrs, \$250 for 2nd, \$500 for 3rd, \$1,000 for subsequent in 2 yrs. Minors purchase/receipt--\$25/10 hrs comm serv,\$50/20 hrs</li> <li>• Require proof of age if person appears to be under 18</li> <li>• Affirmative defense</li> <li>• Post signs</li> <li>• Random inspections using minors. Supervised by Dept of Alcohol &amp; Tobacco Control</li> <li>• Requires vending machines to be supervised, equipped with lock-out device or restricted to areas inaccessible to minors</li> <li>• Uniformity-sale, use, distribution, display, sampling, promotion.</li> <li>• Require original, manufacturers packaging. Prohibit sampling within 500 feet of schools, etc.</li> </ul>	<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Fine for 1st offense \$25, 2nd \$100, subsequent \$250. (SB 509, 1992)  <b>Minimum Age = 18</b>  <b>Requires proof of age</b> if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (SB 509, 1992)  <b>Warning sign required</b> (SB 509, 1992)  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>Local Authority</b> (SB509, 1992; Sec 71.740)	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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<b>Alabama</b>  <b>Enforcement Information</b> <b>Request letter</b> from PM sent to:  Robert Leavell Administrator Alcoholic Beverage Control Board 2715 Gunter Park Dr., West Montgomery, AL 36109  Response to 2/29: From Barry Cravey, Asst Dir, ABC, on 3/5. Do not keep record of store/ owner, only individual, which cannot be released. Support S268, then can address request.	<b>Adjourned</b>  2/6-5/20/96  <b>Bills died</b>  Retailers opposed to the fines and the ABC enforcement provisions.  <b>H 112</b> 2/6/96--Introduced and referred to House State Administration Cmte.  4/4--House passed H112 with amendments * by 83-0 vote, sent to Senate.  4/17--Senate Governmental Affairs Cmte delayed action.  5/2--Cmte reported bill to floor.  5/20--Senate floor vote, possible amendments.  <b>H 18</b> 2/6/96--Introduced and referred to House State Administration Cmte.  <b>S 268</b> 2/6/96--Introduced and referred to Senate Governmental Affairs Cmte.  2/29--Senate Cmte reported bill to floor.	<ul style="list-style-type: none"> <li>Requires retail tobacco permit from Alcoholic Beverage Control Board. May combine tobacco licensing with alcoholic licensing</li> <li>* <del>May suspend/revoke for</del> cause</li> <li>Minors' possession/purchase ban, exempts employment if person 21 or older present. May attend "responsible vendor program."</li> <li>Alcoholic Beverage Control Board with law enforcement shall enforce state/federal laws. May conduct unannounced inspections and may use minors.</li> <li>Local authority. Uniformity *</li> <li>Requires original, manufacturer's packaging.</li> </ul>	<b>License</b> --Dept of Revenue "Privilege license tax" based on population \$2-15. (Sec 40-12-72, 40-12-176(a), 40-25-2(a))  <b>No provision</b>  <b>Sale to Minors</b> --Fines \$10-50. May be imprisoned or sentenced to hard labor for 30 days. (Sec 13A-12- 3, 26-101(a))  <b>Minimum Age = 19</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>Localities authorized</b> to impose "License tax" on vending machines. (Sec 11-51-98)	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> <li>Vending</li> <li>Line of sight</li> <li>Other</li> </ul>

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<b>Rhode Island</b> <b>**</b>  <b>Enforcement Information Request letter</b> from PM sent to:  The Honorable Lincoln Almond Governor State House Providence, RI 02903  Response 2/7: From David Darlington, Dir. of Intergovernmental Relations. Dept of Health has "statistical information on citations," but does not collect info on final fines or convictions, nor does the state plan to collect such info. Municipalities may have info.  Follow-up letter sent to Darlington 2/29  Response 3/25: Violations are kept by local police departments and the 6th District Court.	<b>Adjourned</b>  1/2-8/1/96  <b>Bill Enacted.</b>  <b>S 2804</b> 2/6/96--Introduced. 4/30--Senate passed S2804. 8/1--House passed with amendments. 8/1--Senate concurred; sending bill to the Governor. 8/7--Governor signed into law.	<ul style="list-style-type: none"> <li>Suspend license for 14 days for 3rd offense in 3-yr period, 90 days for 4th and subsequent offenses in 3-yr period.</li> <li>Employer responsible for all violations--Fine of \$100 for 1st offense in 3 yrs, \$200 for 2nd, \$300 for 3rd, and \$500 for 4th and subsequent in 3-yr period.</li> <li>Requires posting of signs on prohibition to sell to minors. Dept of Health will provide at cost.</li> <li>Dept of Health responsible for enforcement. Shall conduct unannounced inspections. May use minors.</li> <li>Requires original, manufacturer's packaging. Prohibits sampling within 500 feet of schools.</li> </ul>	<b>License--Tax Administrator \$25</b> (Sec 44-20-2, 44-20-7)  <b>Suspends license</b> for up to 90 days for 3rd violation of sales to minors laws within 60 days. (Sec 11-9-13, 11-9-14)  <b>Sale to Minors--Fine</b> for 1st offense \$100, 2nd within 30 days \$200, 3rd within 60 days \$300/license suspension for up to 90 days. (Sec 11-9-13, 11-9-14) Purchase by minors prohibited-same as above.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>State law posted--Dept of Health</b> at cost. (Sec 11-9-13)  <b>No provision</b>  <b>Vending--Located</b> in direct line-of-sight and equipped with lock-out device, except bars. (SB 1056, 1995)  <b>No provision</b>  <b>Prohibits sale of cigarettes in packs of less than 20. Specifically bans singles.</b> (SB 1056, 1995; Sec44-20-31)	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> <li>Vending</li> <li>Line of sight</li> <li>Other</li> </ul>

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<b>Rhode Island cont'd:</b>	<p><b>H8348</b> 2/6/96--Introduced and referred to House Judiciary Cmte.</p> <p>4/2--House Judiciary Cmte hearing scheduled.</p> <p>4/10--Sponsor withdrew from consideration.</p> <p>8/1-- Died at adjournment.</p> <p><b>S2764 (Companion)</b> 2/6/96--Introduced and referred to Senate Judiciary Cmte.</p> <p>8/1--Died at adjournment.</p>	<ul style="list-style-type: none"> <li>• Suspend license for up to 14 days for 3rd violation within 1 year, for up to 90 days for 4th violation within 1 year.</li> <li>• Sanctions--\$100 for 1st offense, \$200 for 2nd, \$300 for 3rd offense, \$500 for 4th.</li> <li>• Requires proof of age. Provides for affirmative defense.</li> <li>• Allows minors to purchase as part of enforcement, government or private research.</li> <li>• Uniformity--state given responsibility of sales and marketing of tobacco products.</li> </ul>	<p><b>License</b>--Tax Administrator \$25 (Sec 44-20-2, 44-20-7)</p> <p><b>Suspends license</b> for up to 90 days for 3rd violation of sales to minors laws within 60 days. (Sec 11-9-13, 11-9-14)</p> <p><b>Sale to Minors</b>--Fine for 1st offense \$100, 2nd within 30 days \$200, 3rd within 60 days \$300/license suspension for up to 90 days. (Sec 11-9-13, 11-9-14) Purchase by minors prohibited-same as above.</p> <p><b>Minimum Age = 18</b></p> <p><b>No provision</b></p> <p><b>State law posted</b>--Dept of Health at cost. (Sec 11-9-13)</p> <p><b>No provision</b></p> <p><b>Vending</b>--Located in direct line-of-sight and equipped with lock-out device, except bars. (SB 1056, 1995)</p> <p><b>No provision</b></p> <p><b>Prohibits sale of cigarettes in packs of less than 20. Specifically bans singles.</b> (SB 1056, 1995; Sec44-20-31)</p>	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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<b>Oklahoma</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Ron L. Willis Director Alcohol Beverage Law Enforcement Commission 4545 N. Lincoln St., Suite 270 Oklahoma City, OK 73105  2nd letter sent to Willis 2/29	<b>Adjourned</b>  2/5-5/31/96		<b>License</b> --Tax Commission \$30 for 3-yr period. (Sec 304(a) & (b), 304(d)(2), 316 (b)(2), 1504)  <b>No provision</b>  <b>Sale to Minors</b> --Fine for 1st offense \$25, 2nd within 1 year \$50, subsequent within 1 year \$75. (SB1130, 1994; Title 21 Sec 1241, 1242; Title 15 Sec 13) Purchase/ possession by minors prohibited--\$25 for 1st offense, \$50 for subsequent in 1 yr.  <b>Minimum Age = 18</b>  <b>Requires proof of age</b> if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (SB1130, 1994; Title 21 Sec 1241, 1242; Title 15 Sec 13)  <b>Warning sign required</b> (SB1130, 1994)  <b>Unannounced Inspections--</b> Alcoholic Beverage Laws Enforcement Commission with minors (SB 1130, 1994)	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Oklahoma (Continued)			<p><b>Vending</b>--Continuous supervision. (SB 1130, 1994)</p> <p><b>No provision</b></p> <p><b>State law supersedes local restrictions</b> on sale, purchase, distribution, advertising, sampling, promotion, display, possession, licensing, and taxation. (SB1130, 1994)</p> <p><b>Requires manufacturer's original, sealed package.</b> (SB 1130, 1994)</p>	<ul style="list-style-type: none"> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> <li>• <b>Other</b></li> </ul>

2062905995

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<b>South ** Carolina</b>  <b>Enforcement Information Request letter from PM sent to:</b>  Burnet R. Mayback, III Director Dept. of Revenue 301 Gervais St. Columbia, SC 29201  Response 1/8: Dept of Revenue has no jurisdiction. Letter forwarded to Court Administration, "which may have some information."  Response 4/1: From Beverly Hamilton, Dept of Alcohol & Other Drug Abuse Services. Provided inspection results, but actual purchase does not occur. Referred to Judicial Dept, Division of Court Administration.  Response 7/24: From Court Administration. Referred to county court offices.	<b>Adjourned</b>  1/9-6/26/96  <b>Bill Enacted</b>  <b>H3201</b> Carryover bill from 1995.  1/9/96--Awaits action on Senate floor.  5/28--Senate amended bill and passed it. Bill awaits House concurrence.  6/12--House concurred with Senate amendments, sending bill to Governor for action.  6/18--Governor signed into law.	<ul style="list-style-type: none"> <li>Increase fines-up to \$25 for 1st offense, \$50 for 2nd, at least \$100 and/or imprisonment for 60 days to 1 yr for 3rd and subsequent offenses.</li> <li>Unannounced inspections by Dept of Revenue &amp; Taxation. May use minors.</li> <li>Uniformity of state law, including smoking. Prohibits local ordinances pertaining to tobacco products.</li> </ul>	<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Fine of \$25-100 and/or imprisonment for 2-12 months. (Sec. 16-17-500)  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> <li>Vending</li> <li>Line of sight</li> <li>Other</li> </ul>



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<b>Louisiana</b> (Fiscal Session)  <b>Enforcement Information Request letter</b> from PM sent to:  Terry Pitre (Mr.) Commissioner Office of Alcoholic Beverage Control 1885 Wooddale Blvd. Baton Rouge, LA 70806  2nd letter sent to Pitre 2/29	<b>Adjourned</b>  4/29-6/12/96  No activity this year because of fiscal session		<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Fines for 1st offense up to \$50, 2nd up to \$100, 3rd up to \$250, subsequent up to \$400. (SB130, Act 64,1994; Sec 14:91.7, 14:91.6) Purchase by minors prohibited-same as above.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>Warning sign required</b> (SB130, Act 64, 1994)  <b>Unannounced Inspections</b> -- Alcoholic Beverage Control along with local law enforcement (SB 130, Act 64,1994)  <b>No provision</b>  <b>No provision</b>  <b>State law supersedes local</b> <b>restrictions</b> on sale, promotion and distribution. (SB 130, 1994; Act 64)	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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<b>North Carolina</b> (Fiscal Session)  <b>Enforcement Information Request letter</b> from PM sent to:  Sally Herndon Malek Manager, Smoke & Health Branch, ASSIST Project, Dept. of Environmental Health & Natural Resources  Response 1/23: Referred to Dept of Human Resources, entity responsible for SAMHSA regs.  Response 3/22: From Britt. Administrative Office of the Courts only state depository of violations. Keeps total # of violations, not individual names/stores.	<b>Adjourned</b>  5/13-6/22/96  No activity this year because of fiscal session		<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Class 2 misdemeanor. (Chapter 241, HB 766, 1995; HB 852, 1991; Sec 14-313) Purchase by minors prohibited-infracton.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>No provision</b>  <b>Unannounced Inspections</b> --Dept of Human Resources with local law enforcement. (Chapter 241, HB 766, 1995)  <b>No provision</b>  <b>No provision</b>  <b>State law supersedes local restrictions</b> on sale, distribution, promotion and display after 9/1/95. (Chapter 241, HB 766, 1995)	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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<b>Delaware **</b>  <b>Enforcement Information Request letter</b> from PM sent to:  William Remington Director Division of Revenue Carvel State Office Bldg. 820 N. French St. Wilmington, DE 19801  2nd letter sent to Remington 2/29	<b>Adjourned</b>  1/9-6/30/96  <b>Bill enacted</b>  <b>H440</b> 1/25/96--H440 Introduced and referred to House Judiciary Cmte.  3/12--House Cmte reported bill to floor.  3/28--House passed bill with amendment to provide for uniformity by 41-0 vote. Referred to Senate Health & Social Services Cmte.  3/28--Senate Cmte reported bill to floor.  4/3--Senate passed H440; goes to Governor.  4/5--Governor signed into law.	<ul style="list-style-type: none"> <li>Allows suspension to 6 mnths for 2nd and sub. in 12 mnths</li> <li>Employer-\$250 for 1st, \$500 for 2nd, \$1,000 for sub. Minors' purchase-\$50 or 25 hrs serv, \$50 &amp; 50 hrs comm serv for 2nd &amp; sub in 1 yr.</li> <li>Affirmative defense</li> <li>Warning signs</li> <li>Unannounced inspections by Dept of Public Safety with law enforcement and allows use of minors</li> <li>Restricts machines to taprooms, taverns, tobacco shops or places minors not permitted by law</li> <li><del>Local authority</del> * Uniform state law--preempt local restrictions on subject covered in bill.</li> <li>Requires sealed, manufacturer's packaging</li> </ul>	<b>License</b> --Dept of Finance \$5. (Sec 5307-5308)  <b>Allows for license revocation</b> (Sec 5313)  <b>Sale to Minors</b> --Class B misdemeanor, fine up to \$500 for individuals, up to \$2,000 for corporations. Possible 6 month incarceration. (Sec 1106(1), 4206(b), 4207(b), 4208(3))  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li><b>License</b></li> <li><b>Revocation</b></li> <li><b>Enforcement</b></li> <li><b>Minimum Age</b></li> <li><b>Proof of Age</b></li> <li><b>Post Signs</b></li> <li><b>Reporting</b></li> <li><b>Vending</b></li> <li><b>Line of sight</b></li> <li><b>Other</b></li> </ul>

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<b>New Hampshire</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Edward Dame Dir. of Collections Division Dept. of Revenue Administration 61 South Spring St. Concord, NH 03301  2nd letter sent to Dame 2/29	<b>Adjourned</b>  1/3-6/13/96  Awaiting introductions		<b>License</b> --Tax Commission \$10 for 2-yr period. (Sec 78.2, 78.6)  <b>No provision</b>  <b>Sale to Minors</b> --Fine of \$100. (HB 650, 1995; Sec 78:12-b, 78:12-c, 78:6) Purchase and possession by minors prohibited--\$100 or 20 hrs community service.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>Warning sign required</b> -- Commissioner of Revenue to provide with license. (Sec 78:12-b)  <b>No provision</b>  <b>Vending</b> --Supervised to determine age of purchaser. (HB 650, 1995)  <b>No provision</b>	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> </ul>

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<b>California</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Sandra Smolley Secretary Health & Welfare 1600 9th St., Room 460 Sacramento, CA 95814  Response 4/9: From Kimberly Belshe of Dept. of Health Services. Detailed info requested is beyond that to be provided HHS. To consider additional efforts to provide info, need more info on program to withhold benefits, ie benefits already provided, names of retailers, agreement with retailers, etc.	<b>Adjourned</b>  1/3-8/31/96 (11/30 sine die)  Retailers opposed to licensing and other AAA provisions. Will assess opportunities as other legislation is introduced.		<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Employer--\$200-300 for 1st, \$600-900 for 2nd in 5 yrs, \$1,200-1,800 for 3rd, \$3,000-4,000 for 4th, \$5,000-6,000 for sub offenses in 5 yrs. Minors purchase/possession-\$150 and 30 hrs comm service or 90 day suspension of driver's license. (Sec. 22958 and Sec 308(a) & (b); AB 2188, 1996)  <b>Minimum Age = 18</b>  <b>Requires proof of age</b> if person appears to be under 18. (SB 1927, 1994; Sec 308(a) & (b))  <b>Warning sign required</b> --Dept of Health Services to establish signs, must include 800 number to report violations. Must post state law. (SB 1927, 1994; Sec 308)  <b>Unannounced Inspections</b> --State Department along with local law enforcement. May use minors. (SB 1927, 1994; AB 2188)  <b>Vending</b> --Restricted to places with on-sale public premise liquor license. (AB 686, 1995)  <b>No provision</b>  <b>Local authority--vending machines.</b> (AB 686, 1995) <b>Requires manufacturer's original packaging with federal warning.</b> (Sec 308.2)	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Illinois</b>  <b>Enforcement Information Request letter</b> from PM sent to:  The Honorable Jim Edgar Governor 207 State House Springfield, IL 62706  Response from Rosales 3/20: Do not have system to maintain. Use "mock-purchase" to check compliance.	<b>Adjourned</b>  1/10-5/22/96 (sine die 12/31)  <b>Draft not considered</b>  5/9/96--Draft bill awaiting introduction.  5/22-Draft was never introduced.	<ul style="list-style-type: none"> <li>Requires employee training and signed affidavit.</li> <li>Under training requirements, proof of ID is required if purchaser believed to be under 18.</li> <li>Specifies wording and size.</li> <li>Clarifies inspections. May use state &amp; local law enforcement for inspections. May use minors. File report with HHS.</li> <li>Uniformity--sale, distribution, display, use, advertising, promotion. Grandfathers ordinances in effect by 5/1/96.</li> <li>Requires manufacturer's original packaging.</li> <li>Prohibits sampling within 500 feet of schools,etc.</li> </ul>	<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Fine for 1st offense \$200, 2nd within 1 year \$400, subsequent within 1 year \$600. (HB 1576, 1993; Sec 2357-8, 2358-1, 2358-24, 2358-32) Purchase by minors prohibited-same as above.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>Warning sign required</b> (SB 784, 1991)  <b>Unannounced Inspections</b> --Liquor Control Commission (HB 1576, 1993)  <b>Vending</b> --Direct Supervision (Public Act 181, SB 717, 1995)  <b>No provision</b>	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> <li>Vending</li> <li>Line of sight</li> <li>Other</li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Massachusetts</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Gus Rancatore Dept. of Revenue Executive Office for Administration & Finance 100 Cambridge St. Room 806 Boston, MA 02202  Response 4/3: From Augrey Rushton, Dept of Revenue. Referred to Dr. Greg Connolly, Dept of Public Health's Tobacco Control Program.  Response 7/9: From Connolly. Requests more info on what will be withheld. Volunteers to collect data from local bds of health and provide to PM.  Response 8/21: Receiving violations from Newton Bd of Hlth.	<b>Adjourned</b>  1/3-7/31 (sine die 12/31/96)  Awaiting introductions		<b>Localities authorized to require</b> local retail license. (Chapter 64C, Sec 2, 10)  <b>License</b> --Dept of Revenue \$5 for 2-yr period. (Chapter 64C, Sec 2, 10)  <b>License application denied</b> after 4 violations within 3-year period. (Chapter 270, Sec 6)  <b>Sale to Minors</b> --Fine for 1st offense at least \$100, 2nd at least \$200, subsequent at least \$300. License application denied after 4 violations within 3 years. (Chapter 270, Sec 6)  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>State law must be posted</b> (Chapter 270, Sec 7)  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Michigan</b>  <b>Enforcement Information Request letter</b> from PM sent to:  The Honorable John Engler Governor State Capitol Bldg. P.O. Box 30013 Lansing, MI 48909  Response 4/1: From James Haveman, Dept of Public Health. Does not maintain requested info. If available, it will be from state and local police agencies.	<b>Adjourned</b>  1/10-12/30/96  <b>Bill Died</b>  Carryover S730 awaits action in House.  <b>S 730</b>  2/7/96--House Local Government Cmte reported bill to floor by 7-0 vote.  2/27--House amendment to repeal uniformity passed by 70-32 vote.  2/29--House passed with amendment by 83-23 vote; returns to Senate for concurrence.  3/5--Senate refused to concur by 21-15 vote against. Bill goes to conference cmte.  12/30/96--Bill died in conference cmte.	As passed Senate (11/30/95)  • Sanctions--Employee-\$150 if training provided, Minors for purchase/ possession/use-\$100 (except for employment). May only convict retailer if minor convicted. • Employee training, employee certification  • Affirmative defense if person relied on proof of age or training not provided  • Requires warning sign to be posted.  • Dept. of Public Health, with local enforcement, shall conduct unannounced inspections with minors	<b>No provision--</b>  <b>No provision</b>  <b>Sale to Minors</b> --Fine of \$50 (Sec 25.281-25.285, 7.411(5)) Possession by minors prohibited-\$50. Sign says purchase by minors prohibited.    <b>Minimum Age = 18</b>  <b>No provision</b>  <b>Warning sign required</b> --Dept of Public Health will provide. (Act 327, HB 5104, 1993)  <b>No provision</b>	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Michigan cont'd		<ul style="list-style-type: none"> <li>• Single packs of cigarettes within plain view of cashier or behind counter (exempts tobacco stores).</li> <li>• Prohibits sale of cigarettes separate from package, or in packs of less than 20 (exempts tobacco stores).</li> </ul>	<p><b>Vending</b>--Restricted to places inaccessible to minors or with a Class C liquor license. (HB 5017, 1992; Sec 470)</p> <p><b>No provision</b></p> <p><b>State law prohibits local restrictions</b> on sale or licensure of tobacco products. (Act 327, HB 5104, 1993)</p> <p><b>Prohibits sale of cigarettes separate from package, except in tobacco specialty stores.</b> (Act 31, HB 5225, 1992)</p>	<ul style="list-style-type: none"> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>New Jersey</b>  <b>Enforcement Information</b> <b>Request letter</b> from PM sent to:  Harvey Brooks Dir. of Miscellaneous Tax Division, Dept. of Treasury, Division of Taxation  Response 3/11: Forwarded to Joseph Flynn, Chief Criminal Investigations.  Response 3/25: From Len Fishman, Commissioner, Dept of Health. Will include PM on distribution of status reports on enforcement.  Response 3/28: From Flynn. Referred to Bonnie Schuster, Dept of Health.  Response 8/14: Testing enforcement system; info available October 1996.	<b>Adjourned</b>  1/9-12/30/96		<p><b>License</b>--Division of Taxation, Annual \$40 in 1996, \$50 in subsequent years. (S1186, 1995; Sec 54:40A-s, A-3, A-4, A-24)</p> <p><b>Allows license revocation</b> after 2nd or subsequent violations. (Sec 2A:170-51; S279, 1995)</p> <p><b>Sale to Minors</b>--Fine of \$250 for 1st offense, \$500 for 2nd, \$1,000 for 3rd and sub. offenses. (Sec 2A:170-51; S279, 1995)</p> <p><b>Minimum Age = 18</b></p> <p><b>Affirmative Defense</b> if person appears to be of "legal age." (Sec 2A:170-51; S279, 1995)</p> <p><b>Warning sign required</b> (Sec 54:40A-4.1)</p> <p><b>Unannounced Inspections</b>-- Commissioner of Health will issue grants funded by license fees to local health depts for enforcement and inspections. (S1186, 1995)</p> <p><b>Vending</b>--Ban on property used for school purposes and owned by school board. (Sec 18A:40A-1)</p> <p><b>No provision</b></p> <p><b>Local authority</b> over vending machine restrictions.</p>	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> <li>• <b>Other</b></li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>New York</b>  <b>Enforcement Information Request letter</b> from PM sent to:  David Momrow State of NY Dept. of Health Corning Tower Empire State Plaza Albany, NY 12237  Response 3/20: Federal & state law does not require tracking of violations. Enforcement is through county health departments.	<b>Adjourned</b>  1/3-7/13 (sine die 12/31/96)  NYACS opposed to any youth access legislation.		<b>License</b> --Commissioner of Taxation & Finance, "registration" for \$100. (Sec 489, 470(7-9))  <b>License suspension</b> for one year with 3 violations within 2-year period. (SB 4183-B, 1994; AB3900-E, 1993)  <b>Sale to Minors</b> --Fine for 1st offense \$100-300, subsequent \$1,000. One-year license suspension for 3 violations within 2- year period. (SB 4183-B, 1994; AB3900-E, 1993)  <b>Minimum Age = 18</b>  <b>Requires proof of age</b> if person appears to be under 25. Proof of age must be photo ID issued by government entity or educational institution. Appearance is not a defense. (SB 4183-B, 1994; AB3900-E, 1993)  <b>Warning sign required</b> (SB 4183-B, 1994; AB3900-E, 1993)  <b>No provision</b>	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>New York (Continued)</b>			<p><b>Vending</b>--Restricts to bars or bar areas of restaurants with on-premise liquor license, private clubs, tobacco businesses, places of employment not open to public. (AB 3900-E, 1993)</p> <p><b>No provision</b></p> <p><b>State law supersedes local restrictions</b> on distribution of samples or coupons. (AB 3900-E, 1993)</p> <p><b>Prohibits sale of out-of-package cigarettes.</b> (AB 7139-E, 1994)</p>	<ul style="list-style-type: none"> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> <li>• <b>Other</b></li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Ohio</b>  <b>Enforcement Information Request letter</b> from PM sent to: The Honorable George Volnovich Governor  Response 1/17: From Luceille Fleming, Dept of Alcohol & Drug Addiction Services. Responsible for compliance checks. Contact Scott Brown, Div. of Prevention & Training, or Ronald Sherwood.  Response 3/18: From Peter Somani, Dept of Health. No central tracking, handled locally.	<b>Adjourned</b>  1/2-11/15/96 (sine die 12/31/96)  Carryover bill from 1995, H299.  <b>H299</b>  1/10/96--House Local Government Cmte reported to floor (13-1).	As passed cmte...  <ul style="list-style-type: none"> <li>Minors purchase prohibited.</li> <li>Employee training and certification</li> </ul>  <ul style="list-style-type: none"> <li>Requires proof of age if seller believes purchaser is under 18</li> <li>Affirmative defenses</li> </ul>  <ul style="list-style-type: none"> <li>Requires warning sign</li> </ul>  <ul style="list-style-type: none"> <li>Unannounced inspections by local law enforcement with minors. (Local health depts may assist.) No citations issued unless law enforcement there.</li> </ul>  <ul style="list-style-type: none"> <li>Uniformity-sale, distribution, use, display, promotion</li> <li>Sampling ban within 500 ft of schools.</li> <li>Requires cigarettes/smokeless to be in manufacturer's packaging</li> </ul>	<b>License</b> --County Treasurer, Annual \$30. (Sec 5743.15)  <b>No provision</b>  <b>Sale to Minors</b> --4th Degree misdemeanor fine up to \$250 and/or up to 30 days of jail for 1st offense, 3rd degree misdemeanor, fine up to \$500 and/or up to 60 days jail for subsequent. (Sec 2927.02)  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>Warning sign required</b> (Sec 2927.02)  <b>No provision</b>  <b>Vending</b> --Immediate vicinity and in plain view. (SB 40, 1991; Sec 2927.02)  <b>No provision</b>	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> </ul>  <ul style="list-style-type: none"> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> </ul>  <ul style="list-style-type: none"> <li>Vending</li> <li>Line of sight</li> <li>Other</li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Pennsylvania</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Mary Crowley Chief Miscellaneous Tax Division Dept. of Revenue  Response 1/12: Crowley--Enforce cigarette tax statutes only. Enforcement of sales, a criminal penalty, is by state & local police. No knowledge of central information sight.  Follow-up letter sent to Crowley 2/29	<b>Adjourned</b>  1/9-11/30/96  <b>Bill Died</b>  <b>S1008</b> Carryover from 1995.  05/07/96--Senate Finance Cmte reported bill with amendments to Senate Appropriations Cmte.  11/30/96--Bill died in Senate Appropriations Cmte.	<ul style="list-style-type: none"> <li>• License suspended for 7 days for 3rd offense in 2 yrs, 1 mnth for 4th, 6-12 mnths for 5th and sub. offenses in 2 yrs.</li> <li>• Employee--\$50 for 1st offense, \$100 for 2nd, 3rd Degree Misdemeanor for 3rd and sub. offenses. Employer--\$150 for 1st in 2-yr period, \$300 for 2nd, \$450 for 3rd, \$600 for 4th and sub. in 2-yr. period.</li> <li>• Provides for affirmative defense.</li> <li>• Requires warning signs with 800 number for violations. Requires Surgeon General's warning to be posted.</li> <li>• Unannounced inspections by Dept of Health &amp; Dept of Agriculture. Agriculture required to use minors. Health may contract with local entities.</li> </ul>	<b>License</b> --Dept of Revenue, Annual \$25 (Title 72, Sec 8221(a), 8227(a), 8271(a), 8201)  <b>No provision</b>  <b>Sale to Minors</b> --Summary offense with a fine of at least \$25 for 1st offense, at least \$100 for subsequent. (Title 18, Sec6305(a) & (b)) Purchase by minors prohibited-same as above.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> </ul>

<b>State (By Adjourn. Date)</b>	<b>Legislative Status</b>	<b>Proposed 1996 Legislation</b>	<b>Current Law</b>	<b>AAA Legislative Objectives</b>
<b>Pennsylvania cont'd</b>	<b>S1008 (cont'd)</b>	<ul style="list-style-type: none"> <li>• Restricts to places inaccessible to minors, horse racing facilities, off-track betting facilities.</li> <li>• Products located within line of sight or under direct control.</li> <li>• Uniformity of subject in chapter. Grandfathers ordinances enacted by effective date.</li> <li>• Original, manufacturer's packaging.</li> <li>• Ban sampling within 500 feet of schools.</li> </ul>	<p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Pennsylvania cont'd</b>	<b>Bill Died</b>  <b>H2190</b> Carryover H2190 was referred to House Finance Cmte in 1995 on 11/1/95. Bill received no action in 1996.	<ul style="list-style-type: none"> <li>Employee-\$25 for 1st offense, \$100 for 2nd, 3rd degree misdemeanor for subsequent.</li> <li>Minors' purchase-\$50 &amp; 25 hrs comm. serv., \$50 &amp; 50 hrs comm. serv. for 2nd in 1 yr.</li> <li>Requires proof of age if believed to be under 18</li> <li>Affirmative defense</li> <li>Warning signs</li> <li>Unannounced inspections by county district attorneys with minors</li> <li>Require supervision &amp; lock-out device on machines or restricts to places inaccessible to minors</li> <li>Uniformity-sale, distribution, promotion, display</li> <li>Ban sampling within 500 ft of schools</li> </ul>	<b>License</b> --Dept of Revenue, Annual \$25 (Title 72, Sec 8221(a), 8227(a), 8271(a), 8201)  <b>No provision</b>  <b>Sale to Minors</b> --Summary offense with a fine of at least \$25 for 1st offense, at least \$100 for subsequent. (Title 18, Sec6305(a) & (b)) Purchase by minors prohibited-same as above.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> <li>Vending</li> <li>Line of sight</li> <li>Other</li> </ul>



State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Wisconsin</b>  <b>Enforcement Information</b> <b>Request letter</b> from PM sent to:  The Honorable Tommy G. Thompson, Governor  Response 1/26: From Richard Lorang, Deputy Secretary, Dept of Health & Social Services. No tracking system for convictions. New statewide database of retail licenses located in Bureau of Substance Abuse Services, 1 West Wilson St., Rm 434, P.O. Box 7851, Madison, WI 53707- 7851.  Response 3/14: Regs do not require tracking system. Info available from local enforcement & courts.	<b>Adjourned</b>  1/9-5/13 (sine die 12/31/96)  <b>Amendment not considered</b>  4/96--"Delete all" substitute amendment awaits approval when legislature returns from recess; has support of Assembly leadership.  5/7--Assembly leadership requested new draft substitute.  5/8--Senate adjourned for the year making action by the Assembly moot.	<ul style="list-style-type: none"> <li>Employee training and signed statement required, may be used as a defense by retailer. If trained, employee fined \$50 and 20 hours of community service for 1st offense, fined up to \$100 for subsequent offenses within 1 year.</li> </ul>	<p><b>License</b>--Dept of Revenue issued through the municipal clerk. Annual \$5. (Sec 50.51(1) &amp; (2), 139.30, 139.34)</p> <p><b>License suspended</b> for 3 days for 2nd offense, 3-10 days for 3rd offense, 15-30 days for 4th offense within 1 year. (SB155, 1991, Sec 48.983(2)(a) &amp; (3))</p> <p><b>Sale to Minors</b>--Fine up to \$500 for 1st offense in 1 year, \$200-500 and/or license suspended for 3 days for 2nd offense within 1 year, license suspension for 3-10 days for 3rd offense, 15-30 days for 4th offense within 1 year. (SB 155, 1991; Sec 48.983(2)(a) &amp; (3)). Purchase and possession by minors prohibited--same</p> <p><b>Minimum Age = 18</b></p> <p><b>Affirmative Defense</b>--Defense if retailer asked for "identification card" and person appeared to be at least 18. (SB 155, 1991; Sec 48.983(2)(a) &amp; (3))</p>	<ul style="list-style-type: none"> <li><b>License</b></li> <li><b>Revocation</b></li> <li><b>Enforcement</b></li> <li><b>Minimum Age</b></li> <li><b>Proof of Age</b></li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Wisconsin (Continued)</b>		<ul style="list-style-type: none"> <li>• Unannounced Inspections by Dept of Health &amp; Family Services along with local law enforcement. May use minors.</li> <li>• Restricts machines to barrooms or factories/offices not open to general public.</li> <li>• Prohibits local health dept regulation.</li> <li>• Restricts sampling to places inaccessible to minors or places licensed to sell tobacco.</li> </ul>	<p><b>Warning sign required</b> (Sec 134.66(2)(b)(1) &amp; (2)(b)(2))</p> <p><b>No provision</b></p> <p><b>Vending</b>--Prohibits within 500 feet of schools. (Act 95, SB 155, 1991; Sec 134.66)</p> <p><b>No provision</b></p> <p><b>State law requires local restrictions</b> to strictly conform to this section. (Sec 48.983(5))</p> <p><b>Prohibits sale of cigarettes without package/container with tax stamp.</b> (Act 312, AB 295, 1994)</p>	<ul style="list-style-type: none"> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> <li>• <b>Other</b></li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Montana</b>  <b>Enforcement Information</b> <b>Request letter</b> from PM sent to:  The Honorable Marc Racicot Governor Capitol Station Helena, MT 59620  Response 12/27: Information requested available through Board of Crime Control. Letter was forwarded to Kathy Kendall with the Board of Crime Control for review and additional response.  Follow-up letter sent to Kendall 2/29	No Regular Session	<ul style="list-style-type: none"> <li>No session</li> </ul>	<p><b>License</b>--Dept of Revenue, Ann \$5. (HB 548, 1993; Sec 16-11-102(2), 16-11-120 &amp; 121, 16-11-132, 16-11-148)</p> <p><b>License suspended</b> for 3 months for 6th offense in 3 years, for 1 year for 7th offense in 3 years. (HB 539, 1995; HB 548, 1993; Sec 16-11-308)</p> <p><b>Sale to Minors</b>--Employee fine is \$25 for each offense. Owner, 1st-3rd offense in 3-year period--verbal notice, 4th--written notice, 5th--\$500 education fee, 6th--suspension of license for 3 months, 7th in 3-year period--suspension for 1 year. (HB 539, 1995; HB 548, 1993; Sec 16-11-308) Possession or consumption by minors prohibited.</p> <p><b>Minimum Age = 18</b></p> <p><b>Requires proof of age</b> from driver's license or other ID with picture if reasonable doubt of purchaser's age. (HB 539, 1995; HB 548, 1993; Sec 16-11-308)</p> <p><b>Warning sign required</b>--Provided by Dept of Revenue (HB 539, 1995; HB 548, 1993; Sec 16-11-304)</p>	<ul style="list-style-type: none"> <li><b>License</b></li> <li><b>Revocation</b></li> <li><b>Enforcement</b></li> <li><b>Minimum Age</b></li> <li><b>Proof of Age</b></li> <li><b>Post Signs</b></li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Montana (Continued)</b>			<p><b>Unannounced Inspections--</b> Dept of Corrections &amp; Human Services (HB 539, 1995)</p> <p><b>Vending--</b>Direct supervision</p> <p><b>No provision</b></p> <p><b>State law prohibits local restrictions</b> more stringent than state law. (HB 548, 1993) <b>Requires manufacturer's original package with federal warning.</b> (HB 539, 1995; HB 548, 1993; Sec 16-11-307)</p>	<ul style="list-style-type: none"> <li>• <b>Reporting</b></li> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> <li>• <b>Other</b></li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p><b>Nevada</b></p> <p><b>Enforcement Information</b> <b>Request letter</b> from PM sent to:</p> <p>John Albrecht Deputy Attorney General, Office of the Attorney General, Capitol Complex, Carson City, NV 89710</p> <p>Response 1/8: Has no method of tracking convictions. Understand it is not required under proposed regs for SAMSHA. Maintaining list of stores where someone was "charged" and list where inspections conducted and no charges. Willing to share those lists upon request.</p> <p>Response 3/13: From Albrecht. Federal law does not require a tracking system. Can provide list of stores inspection held and violation occurred.</p>	No Regular Session	• No session	<p><b>License</b>--Dept of Taxation, no fee (Sec 370.015, 370.033, 370.080)</p> <p><b>No provision</b></p> <p><b>Sale to Minors</b>--Fine of up to \$500. (AB 622, 1995; Sec 237, 238, 202.010)</p> <p><b>Minimum Age = 18</b></p> <p><b>No provision</b></p> <p><b>No provision</b></p> <p><b>Unannounced Inspections</b>-- Attorney General along with local law enforcement and other "contract" groups. (AB 622, 1995)</p> <p><b>Vending</b>--Prohibits in public elevators; public waiting areas, lobbies or hallways of medical care facilities; public buses; school buses. (SB 421, 1993; Chapter 202)</p> <p><b>No provision</b></p> <p><b>State law supersedes local restrictions</b> on smoking, use, sale, distribution, marketing, display and promotion. (AB 622, 1995) <b>Requires manufacturer's original packaging with federal warning.</b> (AB 622, 1995) <b>Requires notification of intent to sell in packs less than 20.</b> (Sec 370.315)</p>	<ul style="list-style-type: none"> <li>• <b>License</b></li> <li>• <b>Revocation</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Minimum Age</b></li> <li>• <b>Proof of Age</b></li> <li>• <b>Post Signs</b></li> <li>• <b>Reporting</b></li> <li>• <b>Vending</b></li> <li>• <b>Line of sight</b></li> <li>• <b>Other</b></li> </ul>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>North Dakota</b>  <b>Enforcement Information Request letter</b> from PM sent to:  Bob Hanson State Tax Commissioner Office of State Tax Commissioner 600 E. Blvd. Bismarck, ND 58505- 0599  2nd letter sent to Hanson 2/29	No Regular Session	<ul style="list-style-type: none"> <li>No session</li> </ul>	<b>License</b> --Tax Commissioner, Annual \$15. (Sec 57-36-01(4), 57- 36-02)  <b>No provision</b>  <b>Sale to Minors</b> --Class B misdemeanor with fine of \$500 and/or imprisonment for 30 days. (Sec 12.1-31-03(1) & (2), 12.1.32- 01(6)) Purchase and use by minors prohibited.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li><b>License</b></li> <li><b>Revocation</b></li> <li><b>Enforcement</b></li> <li><b>Minimum Age</b></li> <li><b>Proof of Age</b></li> <li><b>Post Signs</b></li> <li><b>Reporting</b></li> <li><b>Vending</b></li> <li><b>Line of sight</b></li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Oregon</b>  <b>Enforcement Information</b> <b>Request letter</b> from PM sent to: Jeffrey Kushner Assistant Director Office of Alcohol & Drug Abuse Dept. of Human Resources  Response 1/10: Correct Dept--Office of Alcohol & Drug Abuse, contact Dr. Clinton Goff. Will check with courts 3 months after ticket issued (convictions should be concluded at that time). Requests copy of any actions PM takes.  Response 3/19: From Kushner. Provides list of individuals and stores where convictions occurred.  7/31: Correspondence on cited stores continues.	No Regular Session	• No session	<b>No provision</b>  <b>No provision</b>  <b>Sale to Minors</b> --Fine of \$100-500. (HB 3590, 1991; Sec 163-575(1)(d), 163-575(1)(e), 163-575(3)) Possession by minors prohibited-\$100.  <b>Minimum Age = 18</b>  <b>No provision</b>  <b>Warning sign required</b> (HB 3146, 1989; Sec 163.575, 431.840(1)(b) & (3))  <b>Unannounced Inspections</b> --Dept of Human Resources. (SB 453, 1993)  <b>Vending</b> --Restricts to places inaccessible to minors. (HB 3590, 1991)  <b>No provision</b>  <b>State law prohibits local restrictions</b> on vending machines. (HB 3590, 1991; Sec 431.840) <b>Requires cigarettes to be in sealed package.</b> (HB 3146, 1989)	<ul style="list-style-type: none"> <li>• License</li> <li>• Revocation</li> <li>• Enforcement</li> <li>• Minimum Age</li> <li>• Proof of Age</li> <li>• Post Signs</li> <li>• Reporting</li> <li>• Vending</li> <li>• Line of sight</li> <li>• Other</li> </ul>

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Texas</b>  <b>Enforcement Information Request letter</b> from PM sent to:  The Honorable George W. Bush Governor State Capitol, Room 25.1 Austin, TX 78701  Response 3/12: Local law enforcement responsible for smoking violations. Referred to Sharon Kohoute, Office of Smoking & Health, TX Cancer Council for minors information.  Response 5/27: From Ron Lindsey, Hlth & Human Services Policy Director. Referred us to prior letter that referenced Cancer Council. Also referred to Terry Bleier, Commission on Alcohol & Drug Abuse.	No Regular Session	<ul style="list-style-type: none"> <li>No session</li> </ul>	<b>License</b> --State Treasurer, 2-yr permit, no fee. (SB 689, 1991; Sec 154.101(b), 154.001(14))  <b>No provision</b>  <b>Sale to Minors</b> --Class C misdemeanor with fine up to \$200. (Chapter 607, 1989; Civ. 4476-16)  <b>Minimum Age = 18</b>  <b>Affirmative Defense</b> --Provides for a defense if relied on driver's license or ID card with "physical description" and age. (Chapter 607, 1989; Civ. 4476-16)  <b>Warning sign required</b> -- Provided by Dept of Health (SB 689, 1991; Sec 154.101(b), 154.001(14))  <b>No provision</b>  <b>No provision</b>  <b>No provision</b>	<ul style="list-style-type: none"> <li>License</li> <li>Revocation</li> <li>Enforcement</li> <li>Minimum Age</li> <li>Proof of Age</li> <li>Post Signs</li> <li>Reporting</li> <li>Vending</li> <li>Line of sight</li> </ul>



State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<b>Arkansas</b>  <b>Enforcement Information</b> <b>Request letter</b> from PM sent to:  The Honorable Jim Guy Tucker Governor State Capitol Bldg Little Rock, AR 72201  Response 1/12: Received from Governor's Executive Asst. for Health referred letter to Dr. Sandra Nichols, Dir. of Dept. of Health saying she should be able to provide information.  Response 7/25: From Nichols. State law has no enforcement clause, so no convictions or fines.	No Regular Session	<ul style="list-style-type: none"> <li>No session</li> </ul>	<p><b>License</b>--Dept of Finance &amp; Administration, Annual \$10 (Sec 26-57-203, 26-57-214(c), 26-57-301)</p> <p><b>License suspended</b> for 2nd offense within 2-year period for 7 days, 3rd offense 1-6 months, subsequent offense within 2-year period 9 months. (Act 543, 1991; Sec 57-27-227)</p> <p><b>Sale to Minors</b>--Misdemeanor with fine of \$100 for 1st offense, for 2nd offense within 2-year period \$250 fine and license suspension for 7 days, 3rd offense \$500 fine and license suspension for 1-6 months, subsequent offense within 2-year period \$1,000 fine and license suspension for 9 months. (Act 543, 1991; Sec 57-27-227)</p> <p><b>Minimum Age = 18</b></p> <p><b>No provision</b></p> <p><b>Warning sign required</b> (Act 543, SB 184, 1991; Sec 5-27-227)</p> <p><b>No provision</b></p> <p><b>Vending</b>--Constant supervision. (Act 543, SB 184, 1991; Sec 5-27-277)</p> <p><b>No provision</b></p> <p><b>Localities authorized</b> to impose local license requirement and tax. (Sec 26-57-214 &amp; 215)</p>	<ul style="list-style-type: none"> <li><b>License</b></li> <li><b>Revocation</b></li> <li><b>Enforcement</b></li> <li><b>Minimum Age</b></li> <li><b>Proof of Age</b></li> <li><b>Post Signs</b></li> <li><b>Reporting</b></li> <li><b>Vending</b></li> <li><b>Line of sight</b></li> <li><b>Other</b></li> </ul>

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